

CALIFORNIA LEGISLATURE  
2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY

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**IN SENATE**

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Senate Chamber, Sacramento  
Thursday, February 23, 2017

The Senate met at 9:06 a.m.  
Hon. Ricardo Lara, of the 33rd District, presiding.  
Secretary Daniel Alvarez at the Desk.  
Assistant Secretary Zachary L. Twilla reading.

**QUORUM CALL OF THE SENATE**

Without objection, a quorum call was placed upon the Senate.  
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

**PROCEEDINGS UNDER QUORUM CALL OF THE SENATE**  
**ROLL CALL**

The roll was called and the following Senators answered to their names:  
Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella,  
De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg,  
Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell,  
Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino,  
Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—40.  
Quorum present.



**PRAYER**

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

Let us consider the blessings of our humanness as we ponder Rumi's poem, "The Guest House."

This being human is a guest house.  
Every morning a new arrival.

A joy, a depression, a meanness,  
some momentary awareness comes  
as an unexpected visitor.

Welcome and entertain them all!  
Even if they are a crowd of sorrows  
who violently sweep your house  
empty of its furniture,  
still, treat each guest honorably.  
[They] may be clearing you out  
for some new delight.

The [negative] thought, the shame, the malice.  
Meet them at the door laughing, and invite them in.

Be grateful for whatever comes  
because each has been sent  
as a guide from beyond.

*Loving God*, help us to be alert for those unexpected visitors of negativity; may their appearance not cause us to lose our composure and our gracious desire to bring peace and love to our world.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Senator Newman led the Senate in the Pledge of Allegiance to the Flag.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Mendoza introduced representatives of ABC Unified School District: Dr. Mary Sieu, Superintendent; Chris Apodaca, President of ABC Unified School District Board of Education; Camille Lewis, Principal of Haskell Middle School; Jose Torices, Dean of Students; and teachers Robert Garcia and Eric Gutierrez, in honor of their visit to the California State Senate.

**At 9:17 a.m., Hon. Connie M. Leyva, of the 20th District, Presiding**

Senator Lara introduced Tim Robbins, Director of Actor's Gang Theater, in honor of his visit to the California State Senate.

**At 9:20 a.m., Hon. Ricardo Lara, of the 33rd District, Presiding**



**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Resolution 18**—Relative to Engineers Week.  
Resolution read third time and presented by Senator Cannella.

**Roll Call**

The roll was called and the resolution was adopted by the following vote:

AYES (40)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**PRIVILEGES OF THE FLOOR  
SPECIAL INTRODUCTIONS**

Senator Cannella introduced Dawn Antonucci, a leader within ACEC California’s Diversity Leadership Council, Mike Cooper, Incoming President of the American Council of Engineering Companies—California, Robert Lumahan, President of the Professional Engineers in California Government, Kwame Agyare, Regional Governor of the American Society of Civil Engineers, Darron Huntingdale, Central Region President of the Structural Engineers Association of California, and Ken Luttrell from the SEAOC College of Fellows, in honor of Engineers Week.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Senate Chamber, February 23, 2017

Mr. President: The Committee on Rules has examined:

SCR 20                      SCR 22                      SCR 23

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, February 23, 2017

Mr. President: The Committee on Rules has examined:

SB 2                      SB 49                      SB 50                      SB 51

And reports the same correctly engrossed.

DE LEÓN, Chair



**MOTIONS, RESOLUTIONS AND NOTICES****UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

February 21, 2017      February 22, 2017      February 23, 2017

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Concurrent Resolution 23**—Relative to California Wildlife Day.

Resolution read third time and presented by Senator Monning.

**Roll Call**

The roll was called and the resolution was adopted by the following vote:

AYES (40)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**Point of Order**

While the Senate considered remarks on Adjourn in Memoriam, Senator Monning arose to a point of order, during which a disruption of the proceedings of the Senate occurred.

**Parliamentary Inquiry**

Order having been restored, Senator Anderson arose to the following parliamentary inquiry:

When would be an appropriate time for a Senator to make remarks?

**Response of the Presiding Officer**

The Presiding Officer responded that the appropriate time for a Senator to make remarks would be when the matter, as it relates to the Senator's remarks, is properly before the Senate.

**Parliamentary Inquiry**

Senator Fuller arose to the following parliamentary inquiry:

Would the Committee on Rules investigate and clarify the policy on proper procedure on the Floor of the Senate?

**Response of the Presiding Officer**

The Presiding Officer responded that the Secretary of the Senate will note the request.



**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE  
SENATE DISPENSED WITH**

At 9:53 a.m., on motion of Senator De León, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator De León moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, February 27, 2017.

Motion carried.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

State Capitol, February 22, 2017

The Committee on Rules has referred the following measures to committee:

**Agriculture**—SB 335.

**Banking and Financial Institutions**—SB 297, SB 363.

**Business, Professions and Economic Development**—SB 351, SB 443.

**Education**—SB 318, SB 319, SB 328, SB 341, SB 344, SB 346, SB 354, SB 390, SB 424, SB 436.

**Elections and Constitutional Amendments**—SB 286, SB 358.

**Energy, Utilities and Communications**—SB 273, SB 366, SB 370, SB 376.

**Environmental Quality**—SB 377, SB 427.

**Governance and Finance**—SB 289, SB 352, SB 361, SB 375, SB 408, SB 434, SB 435, SB 440, SB 447, SB 448, SB 450.

**Governmental Organization**—SB 274, SB 280, SB 383, SB 384, SB 452.

**Health**—SB 288, SB 294, SB 300, SB 323, SB 374, SB 432, SB 449.

**Human Services**—SB 278, SB 282, SB 283, SB 360, SB 380, SB 401, SB 426.

**Insurance**—SB 430.

**Judiciary**—SB 313, SB 316, SB 333, SB 340, SB 345, SB 387, SB 403, SB 407, SB 451.

**Labor and Industrial Relations**—SB 391, SB 418.

**Natural Resources and Water**—SB 287, SB 290, SB 367, SB 372, SB 386.



**Public Employment and Retirement**—SB 293, SB 371.

**Public Safety**—SB 284, SB 299, SB 312, SB 321, SB 336, SB 355, SB 381, SB 394, SB 395, SB 416, SB 420, SB 439, SB 453.

**Rules**—SB 150, SB 279, SB 281, SB 285, SB 291, SB 296, SB 298, SB 301, SB 302, SB 303, SB 305, SB 306, SB 307, SB 308, SB 314, SB 315, SB 317, SB 320, SB 322, SB 324, SB 326, SB 327, SB 332, SB 334, SB 338, SB 342, SB 343, SB 353, SB 356, SB 357, SB 359, SB 364, SB 385, SB 388, SB 389, SB 392, SB 396, SB 397, SB 400, SB 402, SB 405, SB 406, SB 410, SB 412, SB 417, SB 421, SB 422, SB 423, SB 425, SB 428, SB 431, SB 437, SB 442, SB 444, SB 445, SB 446, SCA 5.

**Transportation and Housing**—SB 277, SB 309, SB 329, SB 369, SB 415, SB 429, AB 28.

**Veterans Affairs**—SB 409, SB 411.

The Committee on Rules has referred the following measures to two committees:

**Agriculture and Environmental Quality**—SB 276.

**Business, Professions and Economic Development and Appropriations**—SB 311.

**Education and Health**—SB 379.

**Education and Human Services**—SB 441.

**Education and Public Safety**—SB 304.

**Elections and Constitutional Amendments and Governance and Finance**—SB 348.

**Governance and Finance and Appropriations**—SB 373.

**Governance and Finance and Public Safety**—SB 292.

**Governance and Finance and Rules**—SB 365.

**Governance and Finance and Transportation and Housing**—SB 337.

**Governance and Finance and Veterans Affairs**—SB 404.

**Governmental Organization and Agriculture**—SB 368.

**Governmental Organization and Judiciary**—SB 378.

**Health and Elections and Constitutional Amendments**—SCA 7.

**Health and Human Services**—SB 399.

**Health and Judiciary**—SB 349.

**Human Services and Governance and Finance**—SB 433.



**Human Services and Health**—SB 398.

**Human Services and Judiciary**—SB 413, SB 438.

**Insurance and Governance and Finance**—SB 325.

**Judiciary and Public Safety**—SB 350.

**Labor and Industrial Relations and Judiciary**—SB 295.

**Public Employment and Retirement and Elections and Constitutional Amendments**—SCA 8.

**Public Safety and Business, Professions and Economic Development**—SB 419.

**Public Safety and Judiciary**—SB 310, SB 331, SB 393.

**Public Safety and Veterans Affairs**—SB 339.

**Transportation and Housing and Governance and Finance**—SB 275, SB 414.

**Transportation and Housing and Public Safety**—SB 347, SB 362.

**Transportation and Housing and Veterans Affairs**—SB 330.

The Committee on Rules has referred the following measure to three committees:

**Governance and Finance and Transportation and Housing and Rules**—SCA 6.

The Committee on Rules has re-referred the following measure to two committees:

**Transportation and Housing and Governance and Finance**—SB 35.

Senate Chamber, February 23, 2017

Mr. President: The Committee on Rules has examined:

SCR 17

And reports the same has been correctly enrolled and presented to the Secretary of State on the 23rd day of February, 2017, at 3 p.m.

DE LEÓN, Chair

#### **Committee on Natural Resources and Water**

Senate Chamber, February 23, 2017

Mr. President: The Chair of the Committee on Natural Resources and Water, to which was referred:

SB 5

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

HERTZBERG, Chair



**Second Reading of Bills—Author's Amendments**

**Senate Bill 5**—An act to add Division 45 (commencing with Section 80000) to the Public Resources Code, relating to a drought, water, parks, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were offered and referred to the Committee on Rules:

**Senate Concurrent Resolution 27:** By Senator Gaines—Relative to Prostate Cancer Awareness Month.

**Senate Concurrent Resolution 28:** By Senator Stone—Relative to National Nutrition Month.

**REQUESTS TO ADJOURN IN MEMORIAM**

Senators Anderson and Hill requested that when the Senate adjourns this day it do so in memory of Robert Dennis Bucci of Pleasant Hill.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Donald Felton of Sacramento.

Senator Leyva requested that when the Senate adjourns this day it do so in memory of Jonah Min Hwang of Pomona.

Senators Pan and De León requested that when the Senate adjourns this day it do so in memory of Randall Koroush of Sacramento.

Senator Portantino requested that when the Senate adjourns this day it do so in memory of Shirley Burt of Pasadena and Janis McMaken Weinberger of Claremont.

Senator Skinner requested that when the Senate adjourns this day it do so in memory of Landrin Kelly of Suisun City.

**ADJOURNMENT**

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, February 27, 2017.

NEVA MARIE PARKER, Minute Clerk

